

# STATE OF UTAH



## CAREER SERVICE REVIEW OFFICE

**2014 FISCAL YEAR  
ANNUAL REPORT**

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## STEPS AT WHICH GRIEVANCES RESOLVED

During fiscal year 2014, 70 employees filed a total of 72 grievances with the CSRO. By statute, grievances become eligible for advancement to the CSRO between Steps 3-4. The CSRO conducted 3 evidentiary hearings in FY 14.<sup>1</sup>

This report reflects only the grievances actually filed with the CSRO that were resolved in FY2014. Some employee grievances are resolved before Step 3 and not reported to the CSRO. Some employee grievances are pending and will be reflected in a future report.

STEP	NO. OF RESOLVED GRIEVANCES
(1) Immediate Supervisor .....	10
(2) Agency/Division Director .....	5
(3) Department Head .....	10
(4*) CSRO .....	19
(4) Evidentiary Hearing .....	6
Court of Appeals .....	2
* These cases were advanced to Step 4 at the CSRO but did not result in an evidentiary hearing because they were resolved in mediation, settled, dismissed for lack of jurisdiction, or abandoned.	
<b>TOTAL .....</b>	<b>52</b>

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<sup>1</sup>Cases are not considered “resolved” within FY 2014 if the time for the parties to file an appeal with the Court of Appeals has not expired by the end of the fiscal year. Those cases will be considered resolved in FY 2015.

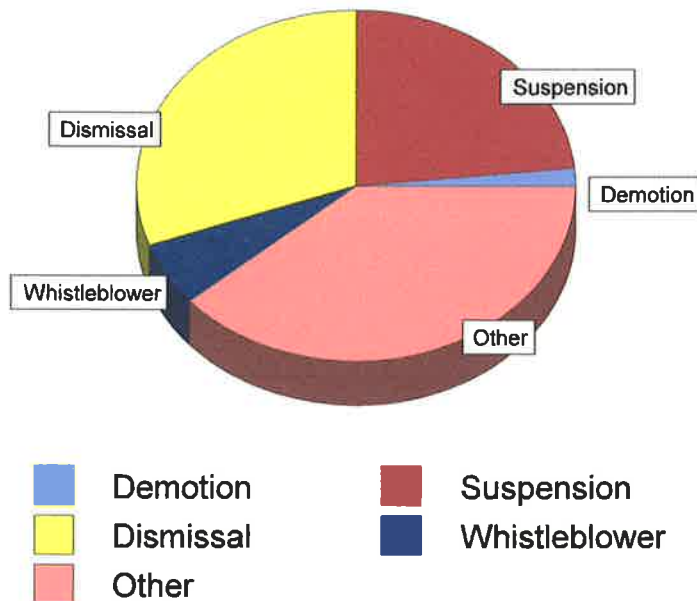
## DISTRIBUTION OF GRIEVANCES

Under the CSRO rules there are only three *disciplinary* actions designated by statute: demotion, dismissal, and suspension (*Utah Code*, Section 67-19a-302(1)). No other issues qualify as *disciplinary* actions.

ISSUE GRIEVED	OCCURRENCES
Demotion	1
Suspension	12
Dismissal	16
Whistleblower	3
*Other	20
<b>TOTAL</b>	<b>52</b>

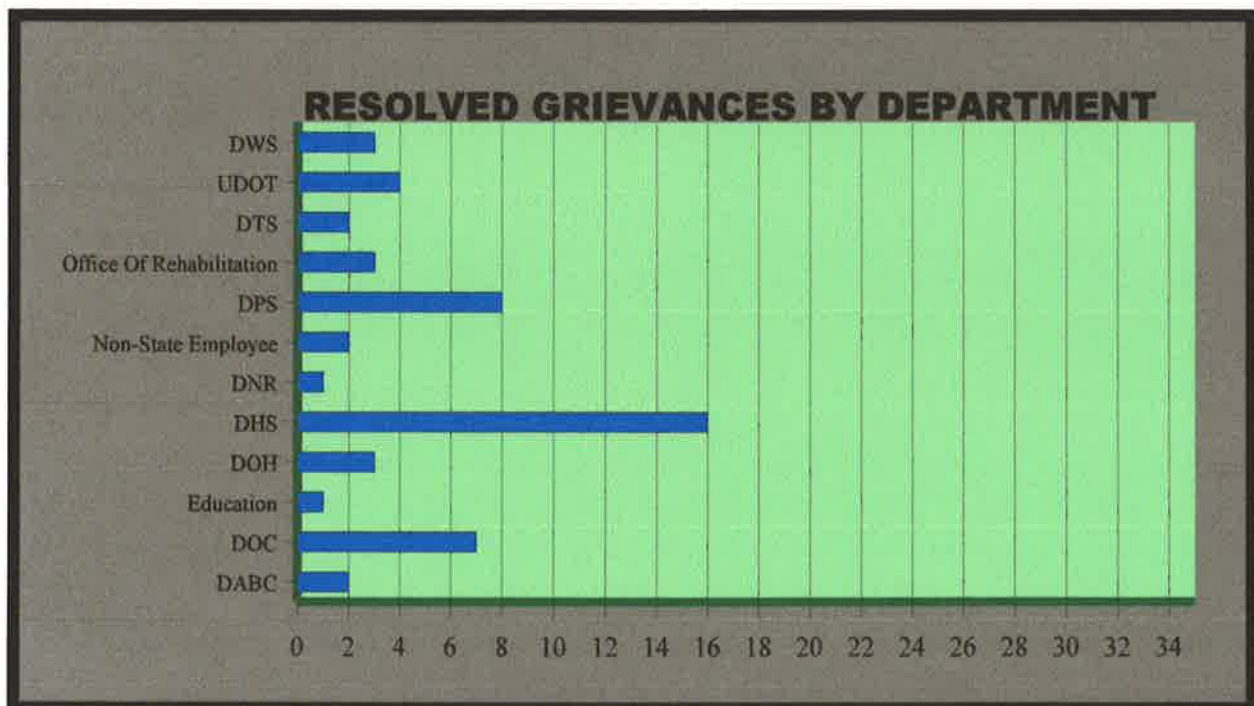
*\*Other includes, but not limited to: written reprimand, harassment, written warning, working conditions, schedule, performance, interview process, career mobility.*

### Distribution of Resolved Grievances



## GRIEVANCES RESOLVED BY DEPARTMENT

AGENCY	TOTAL GRIEVANCES
Alcohol and Beverage	2
Corrections	7
Education	1
Health	3
Human Services	16
Natural Resources	1
Non-State Employee	2
Public Safety	8
Office of Rehabilitation	3
Technology Services	2
Transportation	4
Workforce Services	3
<b>TOTAL</b>	<b>52</b>



## JUDICIAL REVIEW BY THE COURTS CASES DECIDED DURING FY 2014

### COURT OF APPEALS:

1. *Lauren Blauer v. Department of Workforce Services*

Case No. 20130047-CA

This appeal was the fifth in a series of cases addressing the employee's claims against the Department of Workforce Services. The Court held that DWS is immune from suit under the Americans with Disabilities Act and that the State of Utah has not waived its sovereign immunity under the ADA. This appeal has no effect on the CSRO but previous iterations of this employee's case were before the CSRO.

2. *Dori Wintle-Butts v. Department of Technology*

Case No. 20110574-CA

**CSRO Decision:** Jurisdiction denied and case dismissed by CSRO. The Court of Appeals upheld the dismissal.

## JUDICIAL REVIEW BY THE COURTS CASES PENDING DURING FY 2014

NONE

## STATISTICAL SUMMARY OF ACTIVITIES FOR FY 2014

Grievance cases resolved in the CSRO forum .....	23
Evidentiary Hearings held .....	3
Cases resolved, mediated or otherwise settled .....	18
Prehearing status conference summaries/orders issued .....	22
Total files opened at the CSRO .....	72*
Jurisdictional Decisions issued .....	0

*\*The CSRO opens files for all grievances actually filed with the CSRO. Some employee grievances are not reported to the CSRO.*

## ANNUAL COMPARISON OF RESOLVED GRIEVANCES FOR PAST TEN YEARS

